

Applicants : Petar R. Dvornic et al.  
Appln. No. : 09/888,736  
Page : 5

### **REMARKS/ARGUMENTS**

Claims 6-11 and 18-23 have been canceled, and claims 3, 5, 15 and 17 have been amended. Claims 1-5, 12-17 and 24 remain in the application.

#### **Rejection Under 35 U.S.C. §112**

Claims 3 and 15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Examiner has taken the position that the term "alpha,omega-telechelic" is indefinite because it "makes no sense in the context of claims 3 and 15 since claims 3 and 15 do not recite what alphaomega pertains to."

While Applicants have not expressly defined the meaning of the expression "alpha,omega-telechelic," it is believed that those having ordinary skill in the art would understand that the designation "alpha,omega-" as used in the specification and claims in reference to linear polymers, is used to distinguish telechelic linear polymers in which the functional groups are located at the opposite ends of the linear polymer from other telechelic linear polymers in which functional groups are pendant to the backbone of the linear polymer. Nevertheless, in order to expedite prosecution, the claims have been amended (broadened) to encompass compositions in which the functional groups of the telechelic linear polymer are not necessarily located at the opposite ends of the linear polymer. It is respectfully submitted that the amendment overcomes the rejection by deleting of the term "alpha,omega-."

#### **Prior Art Rejections**

Claims 1-5, 11-17, 23 and 24 have been rejected under 35 U.S.C. §102(e) as being anticipated by Heilmann et al. (U.S. Patent Application Publication No. 2003/0096908).

Attached hereto is the Declaration of Jin Hu Under 35 C.F.R. 1.131, which sets forth facts sufficient to show that the Applicants conceived and reduced to practice the invention in the United States prior to the effective date of the Heilmann et al. patent application publication. Accordingly, it is respectfully submitted that the Heilmann et al. U.S.

Applicants : Petar R. Dvornic et al.  
Appln. No. : 09/888,736  
Page : 6

patent application publication does not constitute prior art with respect to the claimed invention.

Claims 1-5, 11-17, 23 and 24 have been rejected under 35 U.S.C. §102(e) as being anticipated by Gaddam et al. (U.S. Patent No. 6,448,337).

Attached hereto is the Declaration of Jin Hu Under 35 C.F.R. 1.131, which sets forth facts sufficient to show that the Applicants conceived and reduced to practice the invention in the United States prior to the effective date of the Gaddam et al. patent. Accordingly, it is respectfully submitted that the Gaddam et al. patent does not constitute prior art with respect to the claimed invention.

#### CONCLUSION

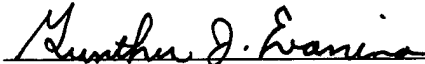
In view of the above amendments and remarks, it is respectfully submitted that the application is in condition for allowance and notice of the same is earnestly solicited.

Respectfully submitted,

PETAR R. DVORNIC ET AL.

By: Price, Heneveld, Cooper,  
DeWitt & Litton

September 25, 2003  
Date

  
\_\_\_\_\_  
Gunther J. Evanina  
Registration No. 35 502  
695 Kenmoor, S.E.  
Post Office Box 2567  
Grand Rapids, Michigan 49501  
(616) 949-9610

GJE/daw